

REMARKS

Claims 1-17 are pending and rejected in this application. Claims 1, 10 and 14 are amended hereby.

Responsive to the Examiner's rejection of claims 1 and 14 under 35 U.S.C. §102 (b) as being anticipated by U.S. Patent No. 5,043,627 (Fox), Applicants have amended claims 1 and 14, and submit that claims 1 and 14 are now in condition for allowance.

Fox discloses a high frequency fluorescent lamp (Figs. 1 and 2) including a clear hollow tube 12 that is round and constructed of glass. Although glass is preferred, a clear plastic such as an acrylic may be used to construct tube 12. Hermetically attached to each end of tube 12 is base assembly 14 that includes end cap 16, conductive high frequency radiating element 18 and power input pin 20 (column 5, lines 49-68).

In contrast claim 1, as amended, recites in part;

An electrical wiring assembly, comprising:

a flexible electrical tubing having a first end and a second end, said tubing loosely carrying said at least one electrical conductor, said at least one electrical conductor traversing said tubing from said first end to said second end.

(Emphasis added). Applicants submit that such an invention is neither taught, disclosed nor suggested by Fox or any of the other cited references, alone or in combination, and includes distinctive advantages thereover.

Fox discloses a high frequency fluorescent lamp having a clear hollow tube that is made of glass or plastic. Applicants' invention is an electrical wiring assembly and not a fluorescent lamp.

Further, Fox does not include at least one electrical conductor carried loosely within a flexible electrical tubing. The gas within the glass tube of Fox is tightly constrained therein. If the gas were not constrained therein Fox would become nonfunctional. Therefore, Fox and any of the

other cited references alone or in combination, fail to disclose, teach or suggest an electrical wiring assembly including a flexible electrical tubing having a first end and a second end, the tubing loosely carrying the at least one electrical conductor, the at least one electrical conductor traversing the tubing from the first end to the second end, as recited in claim 1.

An advantage of Applicants' invention is that the electrical tubing is flexible and can be routed from one electrical connection to another. Another advantage of Applicants' invention is that the electrical component associated with the at least one electrical conductor solely hermetically seals the first tubing end. For the foregoing reasons, Applicants submit that claim 1 is now in condition for allowance, which is hereby respectfully requested.

In further contrast, claim 14, as amended, recites in part;

An electrical wiring assembly, comprising:

a flexible electrical tubing having a first end and a second end, said tubing loosely carrying said at least one electrical conductor, said at least one electrical conductor traversing said tubing from said first end to said second end.

(Emphasis added). Applicants submit that such an invention is neither taught, disclosed nor suggested by Fox or any of the other cited references, alone or in combination, and includes distinctive advantages thereover.

Fox discloses a high frequency fluorescent lamp having a clear hollow tube that is made of glass or plastic. Applicants' invention is an electrical wiring assembly and not a fluorescent lamp. Further, Fox does not include at least one electrical conductor carried loosely within a flexible electrical tubing. The gas within the glass tube of Fox is tightly constrained therein. If the gas were not constrained therein Fox would become nonfunctional. Therefore, Fox and any of the other cited references alone or in combination, fail to disclose, teach or suggest an electrical wiring assembly including a flexible electrical tubing having a first end and a second end, the

tubing loosely carrying the at least one electrical conductor, the at least one electrical conductor traversing the tubing from the first end to the second end, as recited in claim 14.

An advantage of Applicants' invention is that the electrical tubing is flexible and can be routed from one electrical connection to another. Another advantage of Applicants' invention is that the electrical component associated with the at least one electrical conductor solely hermetically seals the first tubing end. For the foregoing reasons, Applicants submit that claim 14 is now in condition for allowance, which is hereby respectfully requested.

Responsive to the rejection of claims 1-4, 7-10 and 13 under 35 U.S.C. § 103 (a) as being unpatentable over U.S. Patent No. 5,283,393 (Guginsky) in view of Fox, Applicants have amended claims 1 and 10, and submit that claims 1-4, 7-10 and 13 are now in condition for allowance.

Guginsky discloses an armored flexible electrical conduit with fittings (Figs. 1 and 2) including a flexible hermetically tight metal conduit 11, a conduit connector female compression fitting 12 and a male tubular coupling 13. Fitting 12 and coupling 13 are coupled to conduit 11 in a hermetically sealed relationship. Fittings 12 and/or coupling 13 are also used to provide a conduit connection to an electrical junction box (column 2, lines 47-59). Female compression fitting 12 is provided with gland 27, which compresses a gland or gasket encircling a conduit inserted into female compression fitting 12, thereby clamping conduit 11 and effecting a hermetically tight coupling (column 3, lines 33-38). Insulation covered multiple conductor cable 29 traverses the length of conduit 11 fittings 12 and couplings 13 (column 3, lines 61-65).

In contrast claim 1, as amended, recites in part;

An electrical wiring assembly, comprising:

a flexible electrical tubing having a first end and a second end, said tubing loosely carrying said at least one electrical conductor, said at least one electrical conductor traversing said tubing from said first end to said second end; and

an electrical component...solely hermetically sealing said first end.

(Emphasis added). Applicants submit that such an invention is neither taught, disclosed nor suggested by Guginsky, Fox or any of the other cited references, alone or in combination, and includes distinct advantages thereover.

Guginsky discloses an armored flexible electrical conduit having a fitting 12 and coupling 13 that are coupled to conduit 11 in a hermetically sealed relationship. Fox discloses a high frequency fluorescent lamp having a clear hollow tube made of glass or acrylic. The gas within the glass tube of Fox is tightly constrained therein. If the gas were not constrained therein Fox would become nonfunctional. Further, Guginsky does not have an electrical component which solely hermetically seals a tubing end, rather Guginsky teaches a fitting and a coupling that are coupled to conduit 11 in a hermetically sealed relationship, yet the end thereof is still open and requires yet another connection to be hermetically sealed. In contrast, Applicants' invention is an electrical wiring assembly having an electrically component that solely hermetically seals a first tubing end. Therefore, Guginsky, Fox and any of the other cited references, alone or in combination fail to disclose, teach or suggest an electrical wiring assembly including a flexible electrical tubing having a first end and a second end, the tubing loosely carrying the at least one electrical conductor, the at least one electrical conductor traversing the tubing from the first end to the second end and an electrical component solely hermetically sealing the first tubing end, as recited in claim 1.

An advantage of Applicants' invention is that the electrical tubing is flexible and can be routed from one electrical connection to another. Another advantage of Applicants' invention is .....

that the electrical component associated with the at least one electrical conductor solely hermetically seals the first tubing end. For the foregoing reasons, Applicants submit that claim 1 is now in condition for allowance, which is hereby respectfully requested.

In further contrast, claim 10, as amended, recites in part;

An electrical wiring assembly, comprising:

a flexible electrical tubing having a first end and a second end, said tubing loosely carrying said at least one electrical conductor, said at least one electrical conductor traversing said tubing from said first end to said second end; and

an electrical connector...solely hermetically sealing said first end.

(Emphasis added). Applicants submit that such an invention is neither taught, disclosed nor suggested by Guginsky, Fox or any of the other cited references, alone or in combination, and includes distinct advantages thereover.

Guginsky discloses an armored flexible electrical conduit having a fitting 12 and coupling 13 that are coupled to conduit 11 in a hermetically sealed relationship. Fox discloses a high frequency fluorescent lamp having a clear hollow tube made of glass or acrylic. Guginsky does not have an electrical component which solely hermetically seals a tubing end, rather Guginsky teaches a fitting and a coupling that are coupled to conduit 11 in a hermetically sealed relationship, yet the end thereof is still open and requires yet another connection to be hermetically sealed. In contrast Applicants' invention is an electrical wiring assembly having an electrically component that solely hermetically seals a first tubing end. Therefore, Guginsky, Fox and any of the other cited references, alone or in combination fail to disclose, teach or suggest an electrical wiring assembly including a flexible electrical tubing having a first end and a second end, the tubing loosely carrying the at least one electrical conductor, the at least one electrical

conductor traversing the tubing from the first end to the second end and an electrical connector solely hermetically sealing the first tubing end, as recited in claim 10.

An advantage of Applicants' invention is that the electrical tubing is flexible and can be routed from one electrical connection to another. Another advantage of Applicants' invention is that the electrical component associated with the at least one electrical conductor solely hermetically seals the first tubing end. For the foregoing reasons, Applicants submit that claim 10 is now in condition for allowance, which is hereby respectfully requested.

Claims 5 and 6 have been rejected under 35 U.S.C. § 103 (a) as being unpatentable over Guginsky in view of Fox and in further view of U.S. Patent No. 4,701,574 (Shimirak et al.). However, claims 5 and 6 depend from claim 1, and claim 1 has been placed in condition for allowance for the reasons given above. Accordingly, Applicants submit that claims 5 and 6 are now in condition for allowance, which is hereby respectfully requested.

Claims 11 and 12 have been rejected under 35 U.S.C. § 103 (a) as being unpatentable over Guginsky in view of Fox and in further view of Shimirak et al. However, claims 11 and 12 depend from claim 10 and claim 10 has been placed in condition for allowance for the reasons given above. Accordingly, Applicants submit that claims 11 and 12 are now in condition for allowance, which is hereby respectfully requested.

Responsive to the rejection of claims 14 and 17 under 35 U.S.C. § 103 (a) as being unpatentable over Guginsky in view of Fox, Applicants have amended claim 14, and submit that claims 14 and 17 are now in condition for allowance.

Guginsky and Fox have been previously discussed.

In contrast, claim 14, as amended, recites in part;

An electrical wiring assembly, comprising:

a flexible electrical tubing having a first end and a second end, said tubing loosely carrying said at least one electrical conductor, said at least one electrical conductor traversing said tubing from said first end to said second end; and

a plug solely hermetically sealing said tubing end.

(Emphasis added). Applicants submit that such an invention is neither taught, disclosed nor suggested by Fox or any of the other cited references, alone or in combination, and includes distinctive advantages thereover.

Fox discloses a high frequency fluorescent lamp having a clear hollow tube that is made of glass or plastic. Applicants' invention is an electrical wiring assembly and not a fluorescent lamp. Further, Fox does not include at least one electrical conductor carried loosely within a flexible electrical tubing. Therefore, Fox and any of the other cited references alone or in combination, fail to disclose, teach or suggest an electrical wiring assembly including a flexible electrical tubing having a first end and a second end, the tubing loosely carrying the at least one electrical conductor, the at least one electrical conductor traversing the tubing from the first end to the second end, and a plug solely hermetically sealing the tubing end, as recited in claim 14.

An advantage of Applicants' invention is that the electrical tubing is flexible and can be routed from one electrical connection to another. Another advantage of Applicants' invention is that a plug solely hermetically seals the first tubing end. For the foregoing reasons, Applicants submit that claim 14, and claim 17 depending therefrom are now in condition for allowance, which is hereby respectfully requested.

Claims 15 and 16 have been rejected under 35 U.S.C. § 103 (a) as being unpatentable over Guginsky in view of Fox and further in view of Shimirak et al. However claims 15 and 16 depend from claim 14, and claim 14 has been placed in condition for allowance for the reasons

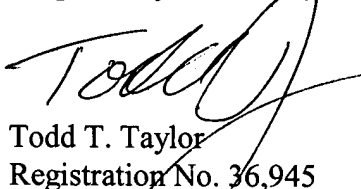
given above. Accordingly, Applicants submit that claims 15 and 16 are now in condition for allowance, which is hereby respectfully requested.

For the foregoing reasons, Applicants submit that no combination of the cited references teaches, discloses or suggests the subject matter of the amended claims. The pending claims are therefore in condition for allowance, and Applicants respectfully request withdrawal of all rejections and allowance of the claims.

In the event Applicants have overlooked the need for an extension of time, an additional extension of time, payment of fee, or additional payment of fee, Applicants hereby conditionally petition therefor and authorize that any charges be made to Deposit Account No. 20-0095, TAYLOR & AUST, P.C.

Should any question concerning any of the foregoing arise, the Examiner is invited to telephone the undersigned at (260) 897-3400.

Respectfully submitted,



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January 29, 2004

Date